

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Translation

Applicant's or agent's file reference BET 99/0493	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/FR99/01369	International filing date (day/month/year) 09 June 1999 (09.06.99)	Priority date (day/month/year) 08 December 1998 (08.12.98)
International Patent Classification (IPC) or national classification and IPC A61M 5/32		
Applicant COMPAGNIE PLASTIC OMNIUM		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.

2. This REPORT consists of a total of 5 sheets, including this cover sheet.

☒ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of 4 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☒ Certain defects in the international application
- VIII ☒ Certain observations on the international application

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International application No.
PCT/FR 99/01369

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	1-13	YES
	Claims		NO
Inventive step (IS)	Claims	1-13	YES
	Claims		NO
Industrial applicability (IA)	Claims	1-13	YES
	Claims		NO

2. Citations and explanations

1. If the objections relating to clarity are overcome, i.e. if Claim 1 were made to correspond to the newly filed Claim 13, the present application might be considered to be novel and inventive (PCT Article 33(2) and (3)).
2. Document US-A-5 562 626 (D1), which is the closest prior art, corresponds to the preamble to Claim 1.

The subject matter of Claim 1 is therefore novel (PCT Article 33(2)).
3. The features of the characterising portion prevent the inadvertent release of the locking means.

The subject matter of Claim 1 is therefore considered to involve an inventive step (PCT Article 33(3)).
4. Claims 2-13 are dependent on Claim 1, and therefore also meet, as such, the PCT requirements with regard to novelty and inventive step.

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VII. Certain defects in the international application

The following defects in the form or contents of the international application have been noted:

1. Contrary to the requirements of PCT Rule 5.1(a)(ii), the description does not outline the relevant prior art set forth in document D1 and does not cite this document.
2. The description does not cite any document describing the prior art outlined on page 1 (PCT Rule 5.1(a)(ii)).
3. The description is not consistent with the claims (PCT Rule 5.1(a)(iii)).

VIII. Certain observations on the international application

The following observations on the clarity of the claims, description, and drawings or on the question whether the claims are fully supported by the description, are made:

1. The embodiments of the invention shown in Figures 4-7 and in the corresponding pages of the description are not covered by the claims. This lack of consistency between the claims and the description casts a doubt as to the subject matter for which protection is sought. The claims are therefore unclear (PCT Article 6).
2. In the following expression of Claim 1: "for a pre-filled liquid injection syringe comprising a tubular body forming a reservoir for the liquid, carrying a needle for injecting the fluid and a plunger movably mounted in said body between a stand-by position and an end of injection position", the syringe and the features thereof are not claimed as part of Claim 1.

Moreover, the other features of Claim 1 and of the dependent claims refer to the above-mentioned features.
3. The term "general", used in Claim 10, is vague and ambiguous, and casts a doubt as to the meaning of the technical feature to which it refers. Therefore, the subject matter of said claim has not been clearly defined (PCT Article 6).